Case 98 02675-5-DMW Doc 214 Filed 10/06/99 Entered 10/06/99 00:00:00 Page 1 of 3

FILED

OD 6 1999

PEGGY B. DEANS, CLERK

UNITED STATES BANKRUPTCY. SOBANKRUPTCY COURT

FOR THE EASTERN DISTRICT OF NORTHER ARCTING OF N.C.

RALEIGH DIVISION

WITHDRAWAL OF MOTION FOR ORDER ALLOWING ACSTAR TO INTERVENE IN NON-BANKRUPTCY LITIGATION

Acstar Insurance Company, a duly scheduled creditor, by and through its undersigned attorney hereby withdraws the Motion for Order Allowing Acstar to Intervene in Non-Bankruptcy Litigation filed herein on May 24, 1999.

This the 5% day of October, 1999.

Paul A. Fanning

N.C. State Bar I.D. No.: 25477

For the firm of

Ward and Smith, P.A.

120 West Fire Tower Road

Post Office Box 8088

Greenville, North Carolina 27835-8088

Telephone: (252) 355-3030

Attorneys for Acstar Insurance Company

WARD AND SMITH, P.

CERTIFICATE OF SERVICE

The undersigned, of 120 West Fire Tower Road, Post Office Box 8088, Greenville, North Carolina 27835-8088 certifies:

That I am, and at all time hereinafter mentioned was more than eighteen (18) years of age;

That on the date set forth below I served copies of the foregoing WITHDRAWAL OF MOTION on:

Holmes P. Harden Maupin, Taylor & Ellis, P.A. Post Office Drawer 19764 Raleigh, NC 27619

Terri L. Gardner Smith, Debnam, Narron & Myers, LLP Post Office Box 26268 Raleigh, NC 27611

Marjorie K. Lynch Bankruptcy Administrator Post Office Box 3039 Raleigh, NC 27602

Brent E. Woods Post Office Box 164 Raleigh, NC 27602

Louis P. Richkind Counsel to Chittenden Bank One Woodward Ave., Suite 2400 Detroit, MI 48226

Kathryn N. Koonce Poyner & Spruill, LLP Post Office box 10096 Raleigh, NC 27605

N. Hunter Wyche, Jr. Wyche & Story, RLLP Post Office Drawer 1389 Raleigh, NC 27602

Lloyd W. Gathings, II Robert W. Shore Gathings & Associates Post Office Box 10545 Birmingham, AL 35202 Ronald H. Garber Boxley, Bolton & Garber, LLP Post Office Drawer 1429 Raleigh, NC 27602

Lloyd T. Whitaker, President Newleaf Corporation 2814 New Spring Road, Suite 330 Atlanta, GA 30339

Joel B. Piassick Kilpatrick & Stockton, LLP Suite 2800 1100 Peachtree Street, N.E. Atlanta, GA 30309

William P. Hicks U.S. Securities and Exchange Commission Atlanta District Office Suite 1000 3475 Lenox Road Atlanta, GA 30326

by first class mail at their last known addresses.

I certify under penalty of perjury that the foregoing is true and correct.

This the 5th day of October, 1999.

Paul A. Fanning

990138-0001 GVLMAIN\214220.1